

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, et  
al.,

Debtors.<sup>1</sup>

PROMESA  
Title III

No. 17 BK 03283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE EMPLOYMENT RETIREMENT SYSTEM  
OF THE COMMONWEALTH OF PUERTO RICO  
("ERS"),

Debtor.

PROMESA  
Title III

No. 17 BK 03566-LTS

**INFORMATIVE MOTION WITH RESPECT TO THE OMNIBUS HEARING  
TO BE HELD ON SEPTEMBER 21<sup>ST</sup>, 2022**

***TO THE HONORABLE COURT:***

Individual Plaintiffs, Pedro José Nazario Serrano; Joel Rivera Morales; María de Lourdes Gómez Pérez; Héctor Cruz Villanueva; Lourdes Rodríguez and Luis M. Jordán Rivera, all of them Retirees/Beneficiaries of the ERS and Plaintiffs in a claim for damages described

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<sup>1</sup> The Debtors in these Title III cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481); (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686); (iii) Puerto Rico Highways and Transportation Authority (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808); (iv) Puerto Rico Sales Tax Financing Corporation (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); and (v) Puerto Rico Electric Power Authority (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as bankruptcy case numbers due to software limitations).

below that is currently pending in the Commonwealth of Puerto Rico Court of First Instance, San Juan Part (the “Commonwealth Court”), without submitting to the jurisdiction of this Court, very respectfully STATE and PRAY as follows:

1. In light of (i) the “Official Committee of Unsecured of Unsecured Creditors Limited Response in Support of UBS Financial Services Incorporated of Puerto Rico’s Motion to Enforce the Plan of Adjustment” (Docket No. 22186); (ii) the “Joinder of the Avoidance Actions Trustee to Official Committee of Unsecured Creditors’ Limited Response in Support of UBS Financial Services Incorporated of Puerto Rico’s Motion to Enforce the Plan of Adjustment” (Docket No. 22187), and (iii) the Official Committee of Unsecured Creditors and the Trustee had until September 15, 2022 to amend or dismiss their complaint against UBS but such term expired without any further action from any of those parties, the appearing retirees/beneficiaries of the ERS hereby withdraw their “Motion to Stay Consideration of: UBS Financial Services Incorporated Of Puerto Rico’s Motion To Enforce The Plan Of Adjustment And For Related Injunctive Relief” (“Motion to Stay”) (Docket No. 21808).

2. Consequently, for purposes of the Omnibus Hearing that will be held on September 21, 2022, the appearing retirees/beneficiaries of the ERS will only argue their opposition to UBS’ Motion to Enforce the Plan of Adjustment, as discussed at Docket No. 22175. As such, item #2 of the “Notice of Agenda of Matters Scheduled for the Hearing on September 21-22, 2022 at 9:30A.M. AST” (“agenda”) (Docket No. 22306) should be eliminated. Individual ERS Plaintiffs will participate of item #3 of the agenda.

**THEREFORE**, the ERS Individual Plaintiffs respectfully request this Honorable Court to: **TAKE NOTICE** that the *Motion to Stay* at Docket No. 21808 is hereby withdrawn; and that the retirees/beneficiaries of the ERS will only argue the merits of their opposition to UBS’ Motion to Enforce, as discussed at Docket No. 22175.

**RESPECTFULLY SUBMITTED.**

**WE HEREBY CERTIFY:** That on this same date a true and exact copy of this motion was filed with the Clerk of Court using CM/ECF system, which will notify a copy to counsel of record.

In San Juan, Puerto Rico, this 20th day of September 2022.

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